

Message Text

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ACTION EB-11

INFO OCT-01 ARA-16 ISO-00 L-03 CAB-09 CIAE-00 COME-00

DODE-00 INR-10 NSAE-00 RSC-01 FAA-00 SS-20 NSC-10

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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC PRIORITY 4190

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E.O. 11652: N/A

TAGS: ETRN, AR

SUBJECT: CIVAIR: US/ARGENTINE ARRANGEMENTS

REFS: A. BUENOS AIRES 8032 B. BUENOS AIRES 7556

1. SUMMARY. UNDERSECRETARY OF FOREIGN MINISTRY INFORMS EMBASSY GOA DESIRES CIVAIR DISCUSSIONS IF THESE HOLD SOME PROMISE OF SUCCESS. GOA CONCERNED THAT USG MAY STAND FAST ON CIVAIR ARRANGEMENTS AGREED 7 DEC 72 WHICH UNACCEPTABLE TO GOA. GOA DESIRES ASSURANCES FROM USG THAT NEGOTIATIONS CAN BEGIN AS COMPLETELY NEW APPROACH TO ALL CIVIL AIR PROBLEMS. ACTION REQUESTED. THAT DEPARTMENT AUTHORIZE EMBASSY INFORM FOREIGN MINISTRY OF USG WILLINGNESS TO PROCEED WITH NEGOTIATIONS NOV 19 AND PROVIDE ANY OTHER INFORMATION WHICH SHOULD BE PASSED TO GOA.

2. DCM SECURED MEETING WITH UNDERSECRETARY TETTAMANTI OF FOREIGN MINISTRY EARLY NOV 7 AND SOUGHT CLARIFICATION OF SIGNIFICANT PORTIONS TETTAMANTI'S LETTER DATED NOV 2 WHICH CONTAINED REF A. DCM ESPECIALLY REQUESTED INTERPRETATION OF SIGNIFICANCE OF PHRASES FROM TETTAMANTI'S LETTER CALLING FOR "NECESSARY BEGIN UNDERLINE A PRIORI END UNDERLINE CONCILIATION OF DIVERGENT ASPECTS IN POSITIONS OF TWO GOVERNMENTS" AND USE OF GOA BASIC CRITERIA AS "STARTING POINT FOR ANALYSIS OF CIVIL AIR PROBLEMS AND NEGOTIATIONS."

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3. IN FRANK DISCUSSION, TETTAMANTI EXPLAINED THAT RECENT

COMMUNICATIONS FROM USG THROUGH EMBASSY HAVE TENDED TO EMPHASIZE THAT USG STANDING ON DEC 72 MEMORANDUM OF CONSULTATION, EXPECTING GOA TO IMPLEMENT ITS PROVISIONS, AND "ONLY TOOK NOT OF," I.E. FAILED TO ACCEPT, STANDSTILL PERIOD SOUGHT BY GOA IN RELATION TO ITS FAILURE TO PROCEED IN IMPLEMENTING MEMORANDUM OF CONSULTATION. TETTAMANTI EXPLAINED THESE USG STATEMENTS HAVE BEEN INTERPRETED WITHIN GOA, ESPECIALLY BY CIVIL AIR AUTHORITIES, TO PRESENT LIKELIHOOD THAT USG WOULD APPROACH NEW NEGOTIATIONS OR DISCUSSIONS BY INSISTING UPON ARGENTINE ACCEPTANCE OF AND IMPLEMENTATION OF ARRANGEMENTS AGREED IN DEC 72. GOA HAS DECIDED IT CANNOT ACCEPT THOSE ARRANGEMENTS AND FEARS THAT IF US POSITION IS AS ASSUMED, NEGOTIATIONS CANNOT PROSPER AND FORMAL EFFORTS ALONG THIS LINE WOULD BE COUNTER PRODUCTIVE. TETTAMANTI THEN GAVE US TO UNDERSTAND THAT REFERENCES IN HIS LETTER TO PRIOR RECONCILING OF DIVERGENCIES IN TWO GOVERNMENT POSITIONS REALLY MEANS THAT GOA WISHES NEGOTIATIONS TO START IN SEARCH OF COMPLETELY REVISED CIVIL AIR ARRANGEMENTS, IN CIRCUMSTANCES WHERE NEGOTIATORS WOULD AVOID RECRIMINATIONS CONCERNING (AND, IF POSSIBLE, EVEN REFERENCES TO) 1972 MEMORANDUM AND 1947 AGREEMENT. TO ILLUSTRATE, TETTAMANTI STATED NEGOTIATORS SHOULD START WITH A BLANK PAGE.

4. TETTAMANTI DESCRIBED THE LIST OF "BASIC CRITERIA" ACCOMPANYING HIS RECENT LETTER AS BEING: (A) AN ATTEMPT TO DEMONSTRATE THE AREA OR FIELD OF TOPICS WHICH NEGOTIATIONS SHOULD COVER AND (B) THE INITIAL, REPEAT INITIAL, POSITION OF GOA NEGOTIATORS ON THESE POINTS. HE SPECIFICALLY DENIED THAT GOA EXPECTED USG TO ACCEPT THESE "CRITERIA" AS ANYTHING MORE THAN AN EXPRESSION OF A GOA POSITION.

5. IN ENDING DISCUSSION TETTAMANTI TOLD DCM THAT WHEN LATTER COULD OFFICIALLY INFORM HIM THAT USG IS WILLING TO ENTER NEGOTIATIONS SEEKING NEW CIVIL AIR ARRANGEMENTS WITHOUT REFERENCE TO THOSE OF THE PAST (1947 AGREEMENT AND 1972 MEMORANDUM) WHICH ARE UNACCEPTABLE TO ONE SIDE OR THE OTHER, GOA WILL BE PREPARED TO BEGIN DISCUSSIONS. EMBASSY REQUESTS DEPARTMENT SUPPLY SUBSTANCE FOR REPLY TO TETTAMANTI. EMBASSY BELIEVES RESPONSE MAY USEFULLY CONTAIN REFERENCE TO US DESIRE THAT NEW NEGOTIATIONS SHOULD COVER ALL ASPECTS CIVIL AIR ARRANGEMENTS INCLUDING CHARTER TRAFFIC AS WELL AS REGULARLY SCHEDULED LIMITED OFFICIAL USE

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SERVICE. EMBASSY STRONGLY RECOMMENDS WRITTEN REPLY IN ORDER NOT TO LEAVE NOV 2 NOTE ON RECORD UNCONTESTED.

6. COMMENT. THIS MORNING'S DISCUSSION WITH TETTAMANTI HAS CLARIFIED THE AMBIGUITIES PRESENT IN HIS LETTER OF NOV 2. HIS POSITION, AND EVEN HIS EXPRESSIONS OF CONCERN OVER POSSIBILITIES OF SUCCESSFUL NEGOTIATIONS, ARE THE SAME AS THOSE GIVEN US EARLIER AND REPORTED IN PARA 2, REF B. THE GOA IS NOT NOW

PREPARED TO IMPLEMENT ITS SIDE OF 1972 MEMORANDUM ARRANGEMENTS AND IS UNLIKELY TO MODIFY ITS POSITION ANYTIME IN THE NEAR FUTURE. USG THUS FACED WITH DECISION ON WHETHER TO PROCEED WITH OR AVOID FOR THE PRESENT CIVIL DISCUSSIONS. PROSPECTS FOR SUCCESSFUL NEGOTIATIONS AND ACHIEVING FORWARD-LOOKING US OBJECTIVES DO NOT APPEAR BRIGHT. HOWEVER, EMBASSY BELIEVES EFFORT SHOULD BE MADE. PRESENT SITUATION IN BILATERAL CIVIL AIR RELATIONS IS BASICALLY UNSTABLE. IN ABSENCE OF DISCUSSIONS GOA MAY EITHER FORMALLY AND FIRECTLY DENOUNCE 1972 MEMORANDUM OR, WITHOUT TAKING FORMAL ACTION OF THIS TYPE, MOVE DIRECTLY AGAINST US AIRLINES. BRANIFF QUOTAS FOR 5TH FREEDOM TRAFFIC EXPIRES AT END 1973 AND IT IS POSSIBLE THAT IT WOULD BE DENIED SATISFACTORY QUOTA FOR FUTURE. WITHOUT DISCUSSIONS, SITUATION COULD EASILY DETERIORATE TO CONFRONTATION STAGE AS IN 1972. IN PRESENT CIRCUMSTANCES US AIRLINES UNABLE MAKE PLANS EVEN FOR SHORT TERM FUTURE. DISCUSSIONS AT LEAST HOLD PROSPECT FOR CLARIFYING SITUATION AND PERMITTING STABILITY IN CIVIL AIR RELATIONS FOR SOME PERIOD IN THE FUTURE.

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